G. R. S. IX-5]

8.7.14 96

Previous references.

S.R. 91997.

1899-00

~~191~~ .

(S.R.)

File No. 7.

Serial Nos. 1-7

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-7

~~Part~~ B for May, 1901

SUBJECT.

Certain amendments made in the Jodhy Rules.

Commissioner's Orders

W D 88—GPB—50,000—24-7-16

Submitted.

Free Jam Rules (forming enclosure to Excise Comm's letter No: 6570/282 of 25th February 1898 quoted inside) have been sent to press for being printed as early as possible. As the issue of the Notification for the sale of Jam Shops may not desirably precede the publication or at least the approval of the Free-Jam Rules, this letter will, if approved, be kept till the rules are printed, and both references be submitted for orders together.

Please call for the Rules from the Press very soon.

5/3/98

17/3/98.

Office note.

Letter No 6510 of 25th Feby/98 from the Excise Commr in Mysore. 282

Submitted.

The draft toddy rules now received from the Excise Commr are mostly in accordance with the toddy notification lately sanctioned. The following notes are however submitted for orders

Preamble. The addition in the preamble of Section 5 in the Excise Commrs draft seems out of place as the same (section 5) does not empower Government to frame Rules.

Heading The heading proposed by the Excise Commr slightly differs from that proposed in this office draft as follows:—

as per this office draft	as per Excise Commrs present draft
Disposal of the exclusive privilege of selling toddy in shops or groups of shops and the grant of licenses for sale &c.	System of sale of the exclusive privilege of vend of toddy in each shop or group of shops, mode of supplying toddy to licensed vendors and the grant of licenses and passes.

Rule IV para 1.

The provision for fixing "upset prices" which was not proposed in the notification is retained

in the Excise Commrs. draft.

The provision about the exemption from payment of local cess on the monthly rent is omitted by the Excise Commrs. in clause 1 of Rule IV and added to Rule IV para 5 (3). It seems appropriate to allow this provision to stand in para 1 of Rule IV as in the notification.

The concluding portion of this para 1 of Rule IV, regarding the enquiry into the condition & character of bidders & the discretion vested in the officer conducting the sale, is retained here but ~~for addition which is~~ not provided for in the notification. This may be retained.

Rule IV, 5, (3)

The provision about the disposal by the Collector in any manner other than by resale, of the defaulter's privilege is omitted in the Excise Commrs. draft. This may be retained in the Rules or that separate instructions on the point may be issued to the Dy. Commrs. as directed by the Dewan on the draft today's notification.

X Note - The Secretary has to say that he submitted a ... on the ... frontier ...

clause (4) of para 5 of Rule IV about Chellans may well be changed into Rule V ~~and~~ the present Rules V & VI as proposed by the Excise Commr. being altered into VI & VII, ~~the~~ & all the 3 Rules being brought under Part II Miscellaneous.

Rule IV 5. (5). The last sentence about interest on arrears & deficits is now added by the Excise Commr. though the same was omitted in the notification.

Rule IV para 5 ~~(4)~~ (8) & (9)

~~This may come under~~

The provision about keeping ~~accounts~~ true & correct accounts is not made in the notification. but may be retained here.

Rule IV para 5. (14)

This may come under the tree tapping as proposed in the former draft as clause (8) para 6 of ~~Rule IV~~ the same Rule.

Rule IV para 6 (5).

The obligation on the part of the applicants to point out the trees applied for, is retained as originally proposed (in accordance with the madras Rules). Many

this is not mentioned in the notification, there seems to be no objection to retain this penal provision in the Rules.

Clause (10) of para 6 of Rule IV should be omitted and the rule as formerly proposed retained as shown below:—

(about payment of tree rent)

"as per original draft"

In addition to the above tax, tree rent at annas 4 per tree per annum or at such other rate as may from time to time be fixed by Government, together with local cess thereon shall be paid by the applicant, the amount being credited to the department to which the trees belong (viz Land Rev., Forest, P W, Railway and Mnl or Local Funds) provided that Govt the Govt will be at liberty to dispense with the payment of such tree rent for such period as it thinks fit on account of trees tapped by licensees of shops in the Mysore State. The rate of tree rent payable for the trees to be tapped in private lands shall be settled by the applicant with the owners thereof. The present arrangement as regards trees in alienated villages Lands will hold good subject of course to the levy by Govt of tree tax.

"as per Excise Comm's present draft".

The Government waive for the current year the levy of a rent in addition to tree tax on Government trees tapped for supply of shops included in this notification.

note (1) Tree rent at 4 as per tree with local cess thereon shall be levied for Govt trees tapped for the supply of shops in the Cantonment stations of Bangalore & those outside the territories of Mysore.

note (2) No trees upon Govt occupied land can be tapped without the consent of the owner. The present arrangement as regards alienated land will hold good subject of course to the levy by Govt of tree tax.

added to the office Objection by [illegible]

4

Rule IV 6. (16) (a)

The provision about date trees being tapped by professional men should be made more appropriately under clause (16) of para 6 of Rule IV as sub-clause (a) instead of making it a separate rule as proposed by the Excise Commr. as rule XI

The 1st sentence of Rule XII which has apparently no meaning may be omitted.

[illegible] of these was dealt the Excise Comr. in the license form are in accordance with the draft Rules.

The additions made by

K Sreeraman
Submitted for orders.

7/5/98

7/5/98

5

Secretary

Submitted with reference to Secretary's query dated 14th July 198. (Attached to the memo.)

Serial no. 39 is not shown in the list of un-answered references sent to Residency for the 1st month of June last.

The ~~letter~~ one shown in the list is the letter Camp no 3 dated 17th June 198 (serial no 46) to which a reply is due.

Residency unanswered list of references for last month of June is herewith submitted.

18/7/98

18/7/98

19-7-98

+ Office copy.

Mr Kelly 6.

Note.

Licensees apply for toddy yielding trees whether situated in Govt waste lands, occupied lands or in alienated lands as convenience suits them. In the case of Govt trees, Govt are entitled to both tree tax & tree rent whereas in the case of other trees they are entitled only to tree tax, the tree rent being reserved by the owner of the trees. If, therefore, the "tree rent" used in the dft proposed, be understood to generally apply to Govt trees only, the amendment will be all right. If it is taken as applying to all the trees licensed for them the addition will be found inconsistent in some instances where private trees are concerned.

(2) Lastly, the question as to who should get the local Cess on tree rent of the trees belonging to private parties is not settled and definite instructions issued.

In the practical working, these items small

these questions,
unimportant though they appear,
will, in the practical working, probably give
~~produce some confusion,~~ room to ~~much~~ some correspondence complications.

Submitted, with two drafts
for approval.

KG
12/4/01.

Local cess is
leviable on ~~by Govt~~ on certain
items of Govt revenue
In this view no local
cess is leviable on the
rent payable on
lees in occupied lands
& this answers both
the questions

22/4/01

Subm to the Chief Commr.
The alterations merely
follow as those introduced
already in the Govt Sale
Notn.

27/4

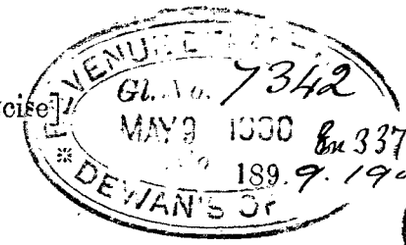
Nesmith Esq
As a result of my discussion with the 2nd

The alterations proposed
do not affect the difference
- both between lands
held on Govt & Inam tenure
and both in occupied
(Ryotwari) lands - &
in a. Nothing therefore
notices to hear the
Notification was
signed. Mr Thyagaraja
Iyer will please speak
to me about this
in the office on
Tuesday the 30th
Instant - A

28/4/01.

29/4

Excise



Gl. No. 7342
Ex 337
189 9. 1900

511

105

From

The Excise Commissioner
in Mysore

To

THE SECRETARY TO GOVT. OF MYSORE,
General & Revenue Dept.s

Dated 28th April 1900.

Despatched) — 5 — 1900

Received

General No. 6015

No. 327

Enclosure No. 1

In reply to

SUBJECT.

Submits for approval and publication, a draft Notification embodying certain modifications to be made in the Toddy Rules published under Government Notification No 11676 / Ex 476, dated 14th June 1898.

References
(to be entered only in the Dewan's Office.)

2 Ex 1900
8.5.01

Submitted, Secretary

The majority of the alterations are in accordance with the recent Toddy Sale Notification, while a few are proposed to assimilate our rules with those of the Madras Presidency. The latter have already been approved of in the case of Arrack Rules. A draft approving of the Notification has been put up for approval or orders. The additions & alterations proposed have also been shown in red ink in the Copy of Rules herewith submitted.

14/5/00

14/5/00.

No. 6015 Exn
327

Excise Commissioner's Office.
Bangalore, Dated 28th April 1900.

From

The Excise Commissioner
in Mysore.

To

The Secretary to Government
of Mysore,
General and Revenue Departments.

Sir,

I have the honor to submit herewith, for approval and publication, a draft Notification embodying certain modifications to be made in the Toddy Rules published under Government Notification No 1676-Ex 476, dated 14th June 1898.

2. The amendments proposed in clauses (1) to (20) and (23) of the aforesaid Notification are in consequence of the alterations made in the published Toddy Sale Notification No 6540/Ex. 217, dated 17th March 1900, for the year 1900-1901.

3. The conditions proposed in clauses (21), (24), (25) and (26) are now in force under departmental orders, and in view to legalize them they have to be inserted in the prescribed licenses.

4.

4. The licensees are now in the habit of closing the authorized shops without authority. Hence the proposed condition (22).

5. Conditions similar to those referred to in paras 3 and 4 above, are in force in the Madras Presidency. Vide condition 6 on page 3, condition 17 on page 4 and condition 35 on page 5 of the Madras Government Notification No. 2, dated 30th January 1900. The necessity of these provisions has been recently experienced.

I have the honor to be,
Sir,
Your most obedient servant,
J. N. Duncan Jr
Excise Commissioner
in Mysore.

Draft for approval 512

107

Read:-

Letter No: 6015/327 dt 28th April 1900 from the Excise Commr in Mysore submitting for approval and publication a draft Notification embodying certain modifications to be made in the Toddy Rules published under Govt. Notification No: 1176/Ex 476 dt 14th June 1898 [Print in extenso)

Order thereon:- No 8225-35/36 dt 19/5/00
Ex. 293.

The draft Notification submitted with the above is approved and forwarded to the Press, for publication in three successive issues of the Mysore Gazette.

Print

15/5/00

Secretary.

To 14/5/00.
The Excise Commr in Mysore
" Deputy Commrs of Districts
" Comptroller
" Superintendent, Govt Central Press, Bangalore
[Here print Notification No: 8235/36 Ex. 294 dt 19/5/00]

19

(SL3) (107)

~~Draft~~ Notification

No. 8236 dated 19/5/00
Ex 294 19

In virtue of the powers conferred by Section 55 of the Excise Act XXII of 1881 as amended by Act VI of 1885, and extended to Mysore by Regulation III of 1885, the Government of Mysore are pleased to make the following amendments in the Toddy Rules published under Government Notification No. 11676/Ex:476, dated 14th June 1898:—

Toddy Rules

(1) After the words - "Deputy Commissioner" in line 1 of Rule II insert - "or by a Revenue Sub-Division Officer, or Divisional Officer of the Excise Department". and

—omit the word "by" before the words "any person"

(2) In line 8 of para 1 of Rule IV, put a Comma after the word - "negotiation", and insert - "or to sell the privilege in any Coffee Estate to the planter for a fixed amount not less than Rs 12/- per shop".

(3) After the word "himself" in line 9 of para 3 of Rule IV, insert - "and so much of his movable and immovable property as may be deemed sufficient".

(4) At the end of para 4 of Rule IV, insert - "or to deposit two months' rent and to furnish personal security

security for an amount equal to three months' rent. In all cases where the monthly rent does not exceed rupees ten, a cash deposit equal to three months' rent shall invariably be taken, and no personal security shall be demanded or accepted".

(5) At the end of Clause (ii) of para 5 of Rule IV, insert - "But in tracts where both date and Bagni toddy shops exist, the licensee of the date toddy shop shall not tap Bagni trees, and the licensee of the Bagni toddy shop shall not tap date trees; but both licensees can tap any of the other palmyra trees named above".

(6) After the word "relates" in line 4 of clause (iii) of para 5 of Rule IV - insert - "But if the amount of annual rent for any shop does not exceed rupees five, the whole of it shall be paid in the first instalment".

(7) After the word "prohibited" in clause (ix) of para 5 of Rule IV, insert "Provided, however, that in Bagni tracts the licensee who has purchased the right of vend of Bagni toddy, may permit the tapping of Bagni trees for domestic consumption, as well as for sale, within the limits of the village purchased by him".

(8) After the word "arrack" in line 2 of clause (xi) of para 5, insert - "within the taluk in which his shop is situated" and after the word "arrack" in line 3, insert the words "in the taluk".

(9) After the word "shopkeepers" in clause (1) (a) of para 6, insert "or of their duly authorized agents".

(10) For clause 6 (c) substitute the following:- "of tree-owners in Coffee Estates, hittals and Kans in the Malnad free of the prescribed tree-tax for drawing toddy for bona fide domestic purposes as per Government Order No. 11897-906, dated 20th June 1898, for such number of trees as may be found necessary by the Excise Commissioner".

(11) Before the word "preparation" in line 3 of para 12, insert - "removal of leaves for the purpose of making incisions and the", and after the word "spathes" insert "or incisions". and for the word "Supervisor" in line 5, substitute "Treasury".

(12) After the word "days" in line 3 of para 13 insert - "and pots may be attached to such marked trees during the five days", and for the word "drawn" in line 5, substitute "removed from the trees".

(13) After the word "two-thirds" in the table

table of para 16, insert – "But if the number of date, cocoanut and palmyra trees applied for, be ten or less than ten, and of Bayini and dadasal trees be five or less than five, the whole amount of tree tax payable thereon, shall be paid with the application".

(14) After the word "tree" in line 2 of clause (i) of para 21 of Rule IV, insert – "in excess of three per cent of the number of trees marked for him".

Toddy Licence "A".

(15) At the end of Condition 1 insert the following; – "But in tracts where both date and Bayini toddy shops exist, the licensee of the Date toddy shop shall not tap Bayini trees, and the licensee of the Bayini toddy shop shall not tap Date trees; but both licensees can tap any of the other palm trees named above".

(16) At the end – the: Before the word "Each" in line 2 of Condition 3, insert the following: – "But if the amount of annual rent for any shop does not exceed Rupees five, the whole of it shall be paid in the first instalment".

(17) After the word "day" in line 3

of Condition 5, insert the following:— "and pots may be attached to such marked trees during the five days". and for the word "drawn" in line 5 substitute, "removed from the trees".

(18) Before the word "preparation" in line 3 of Condition 7, insert the following:— "removal of leaves for the purpose of making incisions and the". After the word "Spathes" in line 3, insert— "or incisions". For the words "Excise Superviser" in line 5, substitute "Treasury".

(19) After the word "two-thirds" in column 3 of the table at the bottom of Condition 9, insert the following:— "But if the number of date, Cocoanut and Palmyra trees applied for, be ten or less than ten, and of Bagni and Dadasal trees be five or less than five, the whole amount of tree-tax payable thereon, shall be paid with the application".

(20) At the end of Condition 20, insert the following:— "Provided, however, that in Bagni tracts the licensee who has purchased the right of vend of Bagni toddy, may permit the tapping of Bagni trees for domestic consumption, as well as for sale, within the limits of the

the village purchased by him."

(21) At the end of Condition 23, insert the following:- "The sale or transport of toddy by persons suffering from leprosy or any contagious disease, and the employment of such persons in the shop, are prohibited."

(22) At the end of Condition 25, insert the following:- "The shop shall be kept open during the authorized hours, unless its temporary or permanent closure is authorized by the Deputy Commissioner."

(23) After the word "arrack" in line 2 of Condition 43, insert the following:- "within the taluk in which his shop is situated" and after the word "and" in line 2 insert the word "other".

(24) At the end of Condition 44, insert the following:- "He shall have no other pecuniary dealings with any Excise officer."

Toddy Depot Licence "C"

(25) At the end of Condition 1, insert the following:- "The employment of persons suffering from leprosy or any contagious disease in the depot is prohibited".

(26) At the end of Condition 4, insert-

the

the following:— "You shall have no pecuniary dealings with any Excise Officer".

"By order
C. 15/5/00
Secretary

Excise Commissioners

To The Compiler, Inland Gazette for publication in 3 successive issues of the Gazette with a request that 50 copies of the Notification may be forwarded Excise Office.

READ—

Letter No. 6015—327, dated 28th April 1900, from the Excise Commissioner in Mysore submitting, for approval and publication, a draft Notification embodying certain modifications to be made in the Toddy Rules published under Government Notification No. 11676—Ex. 476, dated 14th June 1898 :—

I have the honor to submit herewith, for approval and publication, a draft Notification embodying certain modifications to be made in the Toddy Rules published under Government Notification No. 11676—Ex. 476, dated 14th June 1898.

2. The amendments proposed in clauses (1) to (20) and (23) of the aforesaid Notification are in consequence of the alterations made in the published Toddy Sale Notification No. 6540—Ex. 217, dated 17th March 1900, for the year 1900-1901.

3. The conditions proposed in clauses (21) (24), (25) and (26) are now in force under Departmental orders, and in view to legalize them they have to be inserted in the prescribed licenses.

4. The licensees are now in the habit of closing the authorized shops without authority. Hence the proposed condition (22).

5. Conditions similar to those referred to in paras 3 and 4 above are in force in the Madras Presidency, *vide* condition 6 on page 3, condition 17 on page 4, and condition 35 on page 5 of the Madras Government Notification No. 2, dated 30th January 1900. The necessity of these provisions has been recently experienced.

No. 8225-35—Ex. 293, DATED BANGALORE, 19TH MAY 1900.

ORDER THEREON—The draft Notification submitted with the above is approved and forwarded to the Superintendent, Government Central Press, for publication in three successive issues of the *Gazette*.

C. SREENIVASIENGAR,
Secy. to Govt., Gen. & Rev. Depts.

To—The Excise Commissioner in Mysore.
The Deputy Commissioners of Districts.
The Comptroller with the Government of Mysore.
The Compiler, *Mysore Gazette*, and Superintendent, Government Central Press, Bangalore.

NOTIFICATION.

No. 8236—Ex. 294, dated 19th May 1900.

In virtue of the powers conferred by Section 55 of the Excise Act XXII of 1881, as amended by Act VI of 1885, and extended to Mysore by Regulation III of 1885, the Government of Mysore are pleased to make the following amendments in the Toddy Rules published under Government Notification No. 11676—Ex. 476, dated 14th June 1898.

Toddy Rules.

(1) After the words—"Deputy Commissioner" in line 1 of Rule II insert—"or by a Revenue Sub-Division Officer, or Divisional Officer of the Excise Department" and omit the word "by" before the words "an Assistant."

(2) In line 8 of para 1 of Rule IV, put a comma after the word—"negotiation" and insert—"or to sell the privilege in any coffee estate to the planter for a fixed amount not less than Rs. 12 per shop."

(3) After the word "himself" in line 9 of para 3 of Rule IV, insert—"and so much of his movable and immovable property as may be deemed sufficient."

(4) At the end of para 4 of Rule IV, insert—"or to deposit two months' rent and to furnish personal security for an amount equal to three months' rent. In all cases where the monthly rent does not exceed rupees ten, a cash deposit equal to three months' rent shall invariably be taken and no personal security shall be demanded or accepted."

(5) At the end of clause (ii) of para 5 of Rule IV, insert—"But in tracts where both date and bagani toddy shops exist, the licensee of the date toddy shop shall not tap bagani trees, and the licensee of the bagani toddy shop shall not tap date trees; but both licensees can tap any of the other palm trees named above."

(6) After the word "relates" in line 4 of clause (iii) of para 5 of Rule IV insert—"But if the amount of annual rent for any shop does not exceed rupees five the whole of it shall be paid in the first instalment."

(7) After the word "prohibited" in clause (ix) of para 5 of Rule IV, insert—"Provided, however, that in bagani tracts the licensee who has purchased the right of vend of bagani toddy, may permit the tapping of bagani trees for domestic consumption, as well as for sale, within the limits of the village purchased by him."

(8) After the word "arrack" in line 2 of clause (xi) of para 5 insert—"within the taluk in which his shop is situated and after the word "arrack" in line 3, insert the words "in the taluk."

(9) After the word "shop-keepers" in clause (1) (*a*) of para 6, insert—"or of their duly authorized agents."

(10) For clause 6 (*c*) substitute the following:—"of tree owners in coffee estates, hittals and kans in the malnad free of the prescribed tree tax for drawing toddy for *bona fide* domestic purposes as per Government Order No. 11897-906—Ex. 485, dated 20th June 1898, for such number of trees as may be found necessary by the Excise Commissioner."

(11) Before the word "preparation" in line 3 of para 12, insert—"removal of leaves for the purpose of making incisions and the," and after the word "spathes" insert "or incisions," and for the word "Supervisor" in line 5, substitute "Treasury."

(12) After the word "days" in line 3 of para 13, insert—"and pots may be attached to such marked trees during the five days," and for the word "drawn" in line 5, substitute "removed from the trees."

(13) After the word "two-thirds" in the table of para 16, insert—"But if the number of date, cocoanut and palmyra trees applied for, be ten or less than ten, and of bagani and dadasal trees be five or less than five, the whole amount of tree-tax payable thereon, shall be paid with the application."

(14) After the word "tree" in line 2 of clause (i) of para 21 of Rule IV, insert—"in excess of three per cent of the number of trees marked for him."

Toddy License 'A.'

(15) At the end of conditon 1 insert the following:—"But in tracts where both date and bagani toddy shops exist, the licensee of the date toddy shop shall not tap bagani trees and the licensee of the bagani toddy shop shall not tap date trees; but both licensees can tap any of the other palm trees named above.

Excise, dated 19th May 1900.

(16) At the end of the 1st sentence in condition 3, insert the following :— "But if the amount of annual rent for any shop does not exceed rupees five, the whole of it shall be paid in the first instalment."

(17) After the word "days" in line 3 of condition 5, insert the following :— "and pots may be attached to such marked trees during the five days" and for the word "drawn" in line 5, substitute "removed from the trees."

(18) Before the word "preparation" in line 3 of condition 7, insert the following :—"removal of leaves for the purpose of making incisions and the." After the word "spathes" in line 3, insert—"or incisions." For the words "Excise Supervisor" in line 5, substitute "Treasury."

(19) After the word "two-thirds" in column 3 of the table at the bottom of condition 9, insert the following :—"But if the number of date, cocoanut and palmyra trees applied for, be ten or less than ten, and of bagani and dadasal trees be five or less than five, the whole amount of tree-tax payable thereon, shall be paid with the application."

(20) At the end of condition (20), insert the following :—"Provided, however, that in bagani tracts the licensee who has purchased the right of vend of bagani toddy, may permit the tapping of bagani trees for domestic consumption, as well as for sale, within the limits of the village purchased by him."

(21) At the end of condition 23, insert the following :—"The sale or transport of toddy by persons suffering from leprosy or any contagious disease, and the employment of such persons in the shop, are prohibited."

(22) At the end of condition 25, insert the following :—"The shop shall be kept open during the authorized hours, unless its temporary or permanent closure is authorized by the Deputy Commissioner."

(23) After the word "arrack" in line 2 of condition 43, insert the following :—"within the taluk in which his shop is situated" and after the word "arrack" in line 3, insert—"in the taluk."

(24) At the end of condition 44, insert the following :—He shall have no other pecuniary dealings with any Excise Officer.

Toddy Depot License 'C.'

(25) At the end of condition 1, insert the following :—The employment of persons suffering from leprosy or any contagious disease in the depot is prohibited.

(26) At the end of condition 4, insert the following :—You shall have no pecuniary dealings with any Excise Officer.

Exd.—H.A.R.

1899-1900

GOVERNMENT OF MYSORE

EXCISE

PROCEEDINGS

Dated 19th May 1900

No. $\frac{8225\text{-}35}{\text{Ex. } 293}$

Approving a draft Notification embodying certain amendments to be made in the Toddy Rules published under Government Notification No. 11676—Ex. 476, dated 14th June 1898.

SBP—30-5-1900—350

SK 4

109

Notification

No: 2991 & 9/10/00.
Ex. 7. 14-96

Under Section 65 of the Excise Act XXII of 1881, as amended by Act VI of 1885 and introduced into Mysore by Regulation III of 1885, the Govt of Mysore are pleased to make the following additions to the Toddy Rules published under Govt: Notification No: 11676 / Ex 476 dated 14th June 1898, and added to and amended by Notification No: 8236 / Ex 296 & 19th May 1900:—

XIII The Magistrate in whose court any persons may be convicted under section 35 of the Excise Act for unlicensed or illicit tapping or illegal manufacture of toddy shall furnish copies of calendars or other information of such convictions to the Amildars of the talukes concerned.

XIV. The Amildars on receipt of such calendars or information shall

Shall collect the tree-tax due on the toddy yielding trees proved to have been illicitly tapped.

XV. The trees illicitly tapped shall not be marked unless they are duly applied for by the offenders. If they apply for them, and there is no objection to the issue of a tapping licence, the trees may be marked and dealt with in the usual course under the Tree-Tax Rules, provided that if the amount of tree-tax has already been collected, further demand therefor shall not be made by the c... Amildar.

By Order

N
6/10/00
For Secretary

To
The Compiler, Taluka Gazette for publication in the 3 successive issues of the Gazette, in both the Kanarese & English, ~~with a request that~~ 100 copies of the Notification ~~may~~ be supplied to this office.

109

Proceedings of the Government of Mysore, Excise, dated 9th October 1900.

READ—

Letter No. 1449—68, dated 27th August 1900, from the Excise Commissioner in Mysore.

In submitting herewith copy of a D. O. letter of the 14th instant, from the Deputy Commissioner, Shimoga district, with reference to Government Proceedings No. 3974-6—Ex. 185, dated 3rd December 1898, approving, with slight modifications, of my Circular Memo containing instructions as to the course to be adopted in the case of toddy-yielding tress discovered to have been illicitly tapped, I have the honor to state that I concur with the Deputy Commissioner that a Government rule of imperative force is necessary to enable the Amildars to collect tree-tax on the trees illicitly tapped, on receipt of copies of calendars from the Magistracy, in cases in which the accused are convicted for unlicensed or illicit tapping. Accordingly I beg to submit herewith for approval and publication in the *Gazette* a draft Notification embodying the proposed rule.

No. 2981-90—Ex. F. 14-96, DATED BANGALORE, 9TH OCTOBER 1900.

ORDER THEREON—The draft Notification submitted with the above is approved and forwarded to the Compiler for publication in three successive issues of the *Gazette*.

C. SREENIVASIENGAR,
Secy. to Govt., Gen. & Rev. Depts.

To—The Excise Commissioner in Mysore.
The Comptroller with the Government of Mysore.
The Deputy Commissioners of Districts.

Exd.—H.A.R.

NOTIFICATION.

No. 2991—Ex. F. 14-96, dated Bangalore, 9th October 1900.

Under Section 55 of the Excise Act XXII of 1881, as amended by Act VI of 1885, and introduced into Mysore by Regulation III of 1885, the Government of Mysore are pleased to make the following additions to the Toddy Rules published under Government Notification No. 11676—Ex. 476, dated 14th June 1898, and added to and amended by Notification No. 8236—Ex. 294, dated 19th May 1900:—

XIII. The Magistrates in whose Courts any persons may be convicted under Section 35 of the Excise Act for unlicensed or illicit tapping or illegal manufacture of toddy shall furnish copies of calendars or other information of such convictions to the Amildars of the taluks concerned.

XIV. The Amildars on receipt of such calendars or information shall collect the tree-tax due on the toddy-yielding trees proved to have been illicitly tapped.

XV. The trees illicitly tapped shall not be marked unless they are duly applied for by the offenders. If they apply for them, and there is no objection to the issue of a tapping license, the trees may be marked and dealt with in the usual course under the Tree-tax Rules, provided that if the amount of tree-tax has already been collected, further demand therefor shall not be made by the Amildar.

By Order,
C. SREENIVASIENGAR,
Secy. to Govt., Gen. & Rev. Dpts.

1900-1901

GOVERNMENT OF MYSORE

EXCISE

PROCEEDINGS

d 9th October 1900

No. 2981-90
Ex. F. 14-96

Prescribing a Rule to enable the Amildars to collect Tree-tax in cases in which the accused are convicted for illicit tapping.

SBP—17-10-1900—200

112

OFFICE OF THE DEWAN OF MYSORE.

NOTIFICATION.

SALE OF TODDY SHOPS FOR 1901-1902.

Notification No. 6981—*Ex.* 346, *dated 7th March* 1901.

It is hereby notified by the Government of Mysore that the exclusive privilege of selling toddy in each shop or group of shops specified in the appended Schedule for one year, beginning with 1st July 1901 and ending with 30th June 1902, will be put up to public auction by the respective Deputy Commissioners or by Revenue Sub-Division Officers or Divisional Officers of the Excise Department or Assistant Commissioners specially authorized by the Deputy Commissioners for the purpose, on the dates mentioned in the said Schedule, and at the respective taluk kasbas, and will be knocked down to the bidder offering the highest amount of rent for the aforesaid privilege. If the sales are not completed on above named days, they will be continued on the next following days. The licensee is not required to make any additional payment on account of local cess. The Officer conducting the sale shall be at liberty to revise when necessary the grouping of shops as specified in Schedule hereto appended, and to accept or reject any bid at discretion, or to sell the said privilege in any particular case by means of tenders or by private negotiation, or to sell the privilege in any Coffee Estate to the planter for a fixed amount not less than Rs. 12 per shop. The sale in every case shall be subject to the conditions hereinafter set forth and shall, unless revised by the Government, take effect upon formal confirmation by the Deputy Commissioner.

2. Parties intending to bid must attend either in person or by duly authorized agents: and no person shall be permitted to bid either on his own behalf or on account of any one else until he has made a deposit of Rs. 10, in the case of individual shops, or Rs. 25 in the case of groups of shops, or such other reasonable amount as may be fixed by the Officer conducting the sale Such deposits will be returned at the close of the sale.

3. The successful bidder must, on the exclusive privilege being knocked down to him, and before the next shop or group of shops is put up for sale, deposit a sum equal to one-twenty fourth part of his bid for the year, that is to say, one-half of the monthly rent; and within fifteen days of the confirmation of the sale by the Deputy Commissioner being notified to him in writing, he must deposit such further sum as, with the former deposit, will make up an aggregate sum equal to three months' rent. Within ten days after the expiry of the period allowed for making the deposit of three months' rent as above, the purchaser of the exclusive privilege shall execute an agreement binding himself, and so much of his movable and immovable property as may be deemed sufficient to observe the conditions hereinafter set forth, as well as those specified in the license to be issued to him; and his surety, if any, has been accepted under the next following para, shall execute a bond in the prescribed form binding himself and so much of his movable and immovable property as may be deemed sufficient by the Deputy Commissioner, for the due fulfilment by the purchaser of the terms of his agreement. If default is made in making the deposit or deposits or in executing the agreement or the surety bond, if any, within the time allowed therefor by this para, the exclusive privilege shall be forthwith resold or otherwise disposed of by the Deputy Commissioner at the risk of the first purchaser, who shall forfeit to the Government any deposit or deposits already made by him and shall further be liable to make good any loss by the re-sale or other disposal, but shall not be entitled to any gain by the re-sale or other disposal. In the case of the purchaser's death after the confirmation of the sale, it will be binding on his heirs or assigns.

4. The deposit made under the preceding para shall be either in cash or in Government of India Securities or Mysore Debentures duly endorsed in favor of the Deputy Commissioner. Provided that in lieu of a deposit of three months' rent as above, the Deputy Commissioner may, in his discretion, allow any purchaser to deposit one month's rent, as above and to furnish approved personal security for an amount equal to four months' rent, or to deposit two months' rent and to furnish personal security for an amount equal to three months' rent. In all cases where the monthly rent does not exceed rupees ten, a cash deposit equal to three months' rent shall invariably be taken, and no personal security shall be demanded or accepted. If the purchaser shall be found to be a foreigner having no property in the Mysore State, or to be of doubtful solvency, he may be required to deposit twice the prescribed sum or to get a surety or sureties to execute a security bond for the due payment of all moneys that may become due by him under the terms of the contract.

5. As soon as the agreements and bonds have been executed, the Deputy Commissioner will issue a license in the prescribed form, assigning to the purchaser the exclusive privilege referred to therein, subject to the following conditions:—

(1) For the supply of toddy to his shops, the licensee shall have the privilege of obtaining, subject to Tree-tax Rules, toddy-yielding trees in the groves assigned to his shops or group of shops; and he shall be at liberty to manufacture toddy from the trees in private lands, under private arrangements between himself and the owners of such lands. He may purchase toddy from any other licensed toddy shop-keeper on application to the Supervisor, who will grant the necessary permits on proof of the necessity for the same.

(2) The exclusive privilege shall extend to the sale of date, palmyra, cocoanut, bagani, and dadasal toddy. But in tracts where both date and bagani toddy shops exist, the licensee of the date toddy shop shall not tap Bagani trees, and the licensee of the bagani toddy shop shall not tap date trees; but both licensees can tap any of the other palm trees named above.

(3) The amount of rent shall be payable into the local Government Treasuries on printed chellans furnished for the purpose by Government, in equal monthly instalments commencing from 1st July 1901, each instalment shall be regarded as the rent for the month in respect of which it is payable. But if the amount of annual rent for any shop does not exceed Rs. 5, the whole of it shall be paid in the first instalment. Each month's rent shall be payable on or before the 20th of the same month. If default is made, the Amildar may, with the sanction of the Deputy Commissioner, by record in writing, cancel the license, forfeit all deposits made by the defaulter, and proceed to re-sell or otherwise dispose of the shop or group of shops at the defaulter's risk as soon after the last day of the month as may be possible. Provided, however, that instead of re-selling the same as above, the Deputy Commissioner may, in his discretion, direct the Amildar to issue licenses to sub-vendors or vendors under the defaulting licensee for rents the aggregate of which is not less than the rent the defaulting licensee had agreed to pay.

(4) The deposit made by the licensee shall be taken in payment of the instalment due in the last month or months of the period of the license. All arrears and deficits payable by a licensee or his surety shall, with interest at 6 per cent per annum, be recoverable under the rules in force for the recovery of land revenue. Interest shall be calculated on all arrears from the date of default and on deficits from the date of re-sale.

(5) If the Deputy Commissioner does not confirm the re-sale, he may make such other arrangements as may appear advisable for the remainder of the period of the license, in which case he shall serve a notice on the defaulting licensee informing him of the nature of the arrangements made.

(6) Toddy shall not be sold to the public at less than the retail rates specified in the appended schedule.

(7) The toddy shall be sold pure as drawn from trees, and shall not be adulterated or diluted in any manner in the shops, or depôts, if any.

(8) If the licensee of a group of shops wishes to establish a depôt for depositing toddy required for distribution to his shops, he shall obtain a license for it in the prescribed form. The licensee of the depôt shall keep true accounts of the quantity of toddy received in the depôt and issued to the shops. The passes issued with the toddy transported shall be subject to examination and check by the officers authorized in this behalf.

(9) The toddy shall not be sold except in shops duly licensed by the Deputy Commissioner in the prescribed form, and no new shops shall be opened without the previous sanction of the Excise Commissioner. Tree-foot sales or sales in the open, or the disposal of toddy in any other manner unauthorized by the Rules, are strictly prohibited. Provided, however, that in bagani tracts the licensee who has purchased the right of vend of bagani toddy may permit the tapping of bagani trees for domestic consumption, as well as for sale within the limits of the village purchased by him. The licensee of each shop will be required to keep an account of the receipts and expenditure of toddy in his shop.

(10) The Deputy Commissioner may, whenever he thinks fit, direct any shop or shops to be closed, or permit transfers of shops from one place to another within two hundred yards of the original sanctioned site.

(11) The licensee shall not, during the term of the license, have any interest in the exclusive privilege of vending arrack within the taluk in which his shop is situated nor permit any person having interest in the exclusive privilege of vending arrack in the taluk to hold any share or interest in his exclusive privilege of selling toddy; nor shall he, during the term of his license, without the written permission of the Excise Commissioner, have any interest, direct or indirect, in any toddy shop or farm outside the Territories of Mysore.

(12) The licensee shall be bound by the provisions of the Excise law and rules thereunder for the time being in force and by the terms and conditions of the license. The licensee shall use such measures of capacity as may, from time to time, be prescribed by Government, and provide himself with permits for the transport of toddy. Printed forms of permits may be purchased from Excise officers.

(13) The license shall not be transferrable, except with the permission of the Excise Commissioner.

6. The Tree-tapping Rules provide as follows:—

(1) Tree-tapping licenses in the prescribed form shall be issued on the application—

(*a*) of licensed toddy shop-keepers or of their duly authorized Agents,

(*b*) of toddy shop-keepers in British Territory desirous of obtaining toddy from trees growing in the Mysore Territory but free from payment to the Mysore Government of the Tree-tax prescribed in clause 9 below, and

(*c*) of tree-owners in coffee estates, hittals and kans in the malnad free of the prescribed tree-tax for drawing toddy for *bonâ fide* domestic purposes as per Government Order No. 11897-906—Excise 485, dated 20th June 1898, for such number of trees as may be found necessary by the Excise Commissioner.

The licenses may be issued in the name of applicant himself or of his nominees.

(2) Applications for the grant of tree-tapping licenses must be made in the prescribed form to the Excise Supervisor of the Range concerned. Forms may be obtained from him or the Inspectors under him.

(3) Applications for tree-tapping licenses, for trees in occupied or alienated lands, should be countersigned by the owner of the trees intended to be marked in token of his consent. Applications for tree-tapping licenses for trees in State Forests and Plantations should be countersigned by the Forest Range Officer in token of his consent.

(4) Persons applying for the issue of licenses will be responsible to Government for all sums payable as tree-tax and tree-rent on account of the trees licensed therein to be tapped.

(5) On receipt of an application the Supervisor will at once take steps for the marking of the trees by an Officer superior in rank to an Examiner and for the timely issue of the license. Applicants for trees shall point out to the marking officer, when required by the latter to do so, the trees applied for by them. Should they fail to do so after reasonable notice, the tree-tax and tree-rent paid by them shall be liable to be forfeited at the Deputy Commissioner's discretion.

(6) Deputy Commissioners may, subject to the orders of the Excise Commissioner from time to time, prescribe the minimum number of trees for which licenses will be granted and the minimum number to be entered in a single application. They may also direct that the trees situated in one village only shall be included in an application.

(7) No trees shall be tapped, nor shall toddy be drawn from any toddy tree, nor shall any pot be attached to any toddy tree, until the tree has been marked by the proper officer. But the removal of leaves for the purpose of making incisions and the preparation of the spathes or incisions for the drawing of toddy is permitted as soon as the application in the prescribed form has been delivered to the Treasury.

(8) For all toddy-yielding trees, tree-tapping licenses shall be annual. For the convenience of the licensee, applications for tree-tapping licenses will be received, trees will be marked and licenses will be issued during the 15 days, and pots may be attached to such marked trees during the five days, immediately preceding the period to which they relate, to take effect from the commencement of such period, provided that no toddy shall be removed from the trees except during the currency of such license.

(9) No tree is to be tapped for toddy without a license therefor to be obtained by payment of tree-tax at the following rates:—

TREE.	Tree-tax for each tree per annum including local cess. Rs. a. p.
Date	1 1 0
Cocoanut	2 2 0
Palmyra	1 9 6
Bagani or Sago palm	1 9 6
Dadasal (Arenga wightii)	0 8 6

NOTE.—The licenses will be free of tax to the Mysore Government in the cases specified in clause I (*b*) and (*c*) above.

(10) Tree-rent at annas 4 per tree with local cess thereon shall be levied on all Government trees tapped for the supply of toddy shops whether within or outside the Mysore Territories or in the Civil and Military Station of Bangalore.

NOTE.—No trees upon Government occupied land can be tapped without the consent of the owner. The present arrangement as regards trees on alienated land will be good subject of course to the levy by Government of tree-tax.

(11) The tree-tax and tree-rent (with local cess on both the items) shall be payable in the following instalments, unless the Excise Commissioner shall otherwise direct :—

Period within which license is applied for.	Proportion of tree-tax and tree-rent to be paid at the time of application for license.	Proportion of tree-tax and tree-rent to be paid before the end of the month following.
Between 1st July 1901 and 30th April 1902.	One-third ..	The remaining two-thirds. But if the number of date, cocoanut and palmyra trees applied for be ten or less than ten, and of bagani and dadasal trees be five or less than five, the whole amount of tree-tax and tree-rent payable thereon, shall be paid with the application.
Between 1st May 1902 and 30th June 1902.	The whole ..	

(12) Under the arrangement which has been arrived at with the Government of Madras the tree-tax on toddy produced by the trees in the Madras Presidency but consumed in the Mysore State, will be credited to the Mysore Government and *vice versa*. The rate of tree-tax to be paid in such cases will invariably be the highest in force on either side of the frontier. The following procedure shall be observed on the subject—

(*a*) Tree-tax on trees in the Madras Presidency for which tapping licenses are about to be taken out by Mysore shop-keepers, must be paid in one instalment to the Amildar of the taluk concerned in the Mysore State, who will grant a receipt in the prescribed chellan form and certify at the foot that the applicant is a person entitled to take out tree-tapping licenses. The applicant will then make his application to British authorities in accordance with the Madras Government Tree-tapping Rules, and will obtain a Transport Permit from the Supervisor concerned in the Mysore State for the transport of the toddy drawn from the frontier to the shop or depôt for which it is intended, after having complied with all requirements of the Madras Government Rules.

(*b*) A shop-keeper or renter in the Madras Presidency desiring to obtain toddy from trees growing in the Mysore Territory, will pay into the Thasildar's Treasury concerned in the Madras Presidency, the tree-tax on the trees which he proposes to tap. The Thasildar after satisfying himself that the applicant is a person who is entitled to take out a tree-tapping license, will grant a receipt with this fact certified at the foot.

(*c*) The applicant will then proceed to make an application to the proper Mysore authorities in accordance with the Tree-tapping Rules in force in that State. The Mysore authorities concerned will accept the receipt and certificate as evidence that the amount mentioned has been paid, and that the applicant is a person by whom an application for a tree-tapping license may be made. It must, however, be distinctly understood that licenses may be refused at discretion in the case of trees reserved by the Excise Department for the purpose of giving them rest or for other reason considered sufficient by the Officer refusing the license. The issue of licenses, marking of the trees, &c., will be effected in precisely the same manner as if the applicant were a shop-keeper in the Mysore State, the number of trees to be licensed being calculated at the higher rate of the tree-tax, whether British or Mysore, if the rate is not the same on both sides of the frontier.

(*d*) The Supervisor concerned in the Mysore State will issue Transport Permits to the frontier in the usual way, care being taken, as far as possible, to prescribe a route which does not involve the toddy approaching near any Mysore toddy shops. The latter should not be located along any of the main routes by which toddy is exported to the Madras Presidency, if it can be avoided ; and the attention of the Deputy Commissioner concerned should be invited to the desirability of removing adjacent shops to a distance. It will be for the British Officer to grant permits from the frontier on to the destination of the toddy.

(*e*) Transport Permits, for toddy exported by rail, will be given in batches of seven or any other requisite number, one for each day, to allow of a Transport Permit being invariably attached to the Way-bill.

(13) In the tree-tapping licenses granted on the application of British renters and shop-keepers, the following rule will be inserted—

"All toddy drawn by the licensee shall, as soon as the pots containing it are removed from the trees, be immediately conveyed direct across the frontier into the Madras Presidency, under a General Transport Permit granted by the Deputy Commissioner of the district, or other duly authorized officer or person. Transfers of toddy, even by way of gift, between the time of drawing and crossing the frontier, and tree-foot sales or sales in the open, or the disposal of the toddy in any other manner unauthorized by the rules in force, are strictly prohibited."

(14) Licenses to British shop-keepers to tap trees in the Mysore State are granted in consideration of the payment of tree-tax to the British Government, and are liable to cancellation at its request, or that of any Officer duly empowered by it in this behalf.

(15) Toddy drawn from British trees may be allowed to pass across Mysore Territory on permits granted by British officials, provided they are countersigned by the Supervisor of the Range in Mysore Territory through which the toddy is being transported.

(16) Every person to whom a tapping license is granted for the manufacture of toddy either for local consumption or for export to British Territory, shall observe the following rules in tapping date trees—

(*a*) Date trees shall be tapped only by professional men.

(*b*) Trees tapped one year shall not ordinarily be tapped the next year.

(*c*) Trees shall not be over tapped or overworked.

(*d*) In no date tree shall the initial incision be made at any point less than 3 feet from the ground except in places where permission is specially given.

(*e*) The depth and width of the incision shall not exceed one-third of the diameter of the tree, and the length of it shall not exceed eight inches.

(*f*) Every fresh incision shall not be less than one foot above the last incision, except in localities where permission is specially given.

(*g*) The central spike-like clusters shall not be touched. Of the lateral leaves not less than two layers of leaves shall be left, reckoning from the layers immediately next to the central clusters down to the top line of the incision; or in other words, above the top line of the incision not less than eight leaves shall be left excluding the central spike-like clusters, on that face of the tree on which the incision is made.

(*h*) The licensee shall not cut or injure or permit to be cut or injured the trees licensed to him, or any other trees.

(*i*) The licensee or his employer will be liable to pay a fine of one rupee for each tree in excess of three per cent of the number of trees marked for him which may die from over tapping or careless tapping either during the lease or within six months after its expiration.

(17) In every grove where toddy-yielding trees are tapped, a ladder shall always be kept by the tapmen to enable Excise Officers to examine incisions or spathes, as the case may be, or to measure the incisions.

7. In case of any breach of the conditions of the license, either by the licensee, or with his connivance or privity by any person in his employment, or in the event of the licensee neglecting to open his shops or to carry on his business with due care and attention, it shall be competent to the Deputy Commissioner to impose upon the licensee a fine not exceeding the sum of Rs. 50 for every such breach or neglect, or at the option of the Deputy Commissioner to declare the money deposited with him forfeited, and to cancel the license, and re-sell the exclusive privilege or otherwise dispose of it at the risk of the licensee, or to place it under the management of Government. When a license is cancelled, the rent for the whole period of the lease shall become due at once; and all loss caused to Government by the cancelment or re-sale or otherwise of the license shall be made good by the licensee or his surety in the manner specified for re-sales in para 3 above. All the amounts of such penalties and loss shall be recovered in the same manner as if they were the arrears of land revenue.

8. The imposition of a fine or the forfeiture of deposit or the cancellation of the license under the last preceding condition, shall not be held to prevent the prosecution of the licensee or his agents or employes for any offence punishable under the law for the time being in force.

By Order,

V. R. THYAGARAJA IYER,
for Secy. to Govt., Gen. & Rev. Depts.

DATE, TODDY SCHEDULE

Name of Taluk	Serial No	Name of each shop	Names and particulars of Groves assigned to each shop	Consumption in each shop			Rent of each shop or each group of shops for—		
				In the year 1898-99	In the year 1899-1900	In the 6 months ended 31st Dec. 1900	1898-99	1899-1900	1900-1901
1	2	3	4	5	6	7	8	9	10
		Bangalore City.	Kunigal taluk.	Ghadas.	Ghadas.	Ghadas.	Rs.	Rs.	Rs.
			Part of Kitnamangala						
	1	Marikatte ...	Amanikere of do ...	2996	4318	1398			
	2	Padakhana ...	Kadumattigere ...	1568	1664	1375			
	3	Darjeepet ...	Bairanaikanhalli Hanumapura.	1033	1469	480			
	4	Yelhanka gate ..	Thippasandra ...	1159	2269	563			
	5	Alsur gate ...	Yeliyur, Begur Amanikere	1487	1887	699			
	6	Balebagal ...	Arekere ..	738	1655	598			
	7	Kengeribagal ...	Heruru, Kunduru, Kottipura and Kenchagalapura.	404	1357	1196			
			Kankanhalli taluk.						
	8	Munireddipalya ...	Sanjivanaikankere and Singaiyanakere.	371	730	294			
	9	Thattinabagal ...	Tottihalla ..	3037	5160	1763			
	10	Ramannapett ...	Adaramala of Sadanahalli Anekere and Sathukatta.	1175	2356	527	13,000	16,150	20,220
Bangalore.	11	Gowdanpett ...	Ravagodlu ...	802	1369	637			
	12	Malleswara extension	Lakshmisagarakere and Choulakanakere.	...	...	240	...	...	...
	13	Basavanagudi extension Ooparahalli.	Dyavasandra and Narasanaikankere and other groves assigned to these shops in the Kunigal taluk and also in the Tiptur taluk.	...	...	247			
	14	Oopparahalli ...	Machagatta, Ramanahalli, Byadarahalli, Lakshmipura Audinaikanhalli, Manekere, Kallkere, Harisamudra, Gedlihalli, Bairanaikanhalli, Vasudevarahalli, Gudigondanhalli, Krishnapura Paruvagondanhalli, Vittalapura, Thammadahalli, Chikhonnavalli, Suranahalli, Hanumanthapura, Choudenahalli, Halenalli, Harachanahalli, Margondanahalli and Masnegondi.	...	...	62			
		Bangalore Taluk ..							
	1	Chik Banavara ...	Chikbanavara tank No. 3, Ganagarahalli No. 67, Karivabanahalli Nos. 31, 23, 49, 47, 62, and 94, and Kharab.	1104	1425	535	960	912	1
	2	Begur ..	Sarakkee No. 20, Blakehalli No. 219.	360	1431	840	600	960	

Excise Commissioner's Office

No 5176/263 Ex 1 Bangalore, Dated 1st April 1901

45

From

The Excise Commissioner
in Mysore

To

The Secretary to the Govt
of Mysore, General
and Revenue Department

Sir,

I have the honor to
submit herewith a draft
Notification embodying
amendments to be made in
the Toddy Rules published under
Government Notification
No 11676/Ex 476, dated 14th June 1898, in
consequence of those made in
Government Notification No 6981/Ex 343,
dated 9th March 1901, for the Sale of
Toddy Shops for the year 1901-1902.

I have the honor to be

Sir,

Your Most obedient Servant

J Murray

Excise Commissioner
in Mysore

No. 6729
1901
Nov. 303

(113)

From The Excise Commissioner in Mysore

To The Secretary to the Govt of Mysore, General and Revenue Department

Dated 1st
Despatched 6 } April 1901
Received

General No. 5176
No. 263

Enclosure No. 1

Submits a draft Notification embodying amendments to be made in the Coorg Rules published under Government Notification No 11676 / Ex 476, dated 14th June 1898, in consequence of those made in Government Notification No 6981 / Ex 343, dated 7th March 1901 for the Sale of Coorg Shops for the year 1901-1902.

Rev: (Ex)
8-4-01

113/a

Draft Notification

In exercise of the powers conferred by Section 55 of the Excise Act XXII of 1881, as amended by Act VI of 1885, and introduced into Mysore by Regulation III of 1885, the Government of Mysore are pleased to direct that the following amendments be made in the Coorg Rules published under Government Notification No 11676/Ex 476 dated 14th June 1898, and amended in Government Notification No 8236/Ex: 294, dated 19th May 1900:—

(1) At the end of amended para 4 of Rule IV, insert the following:—

"If the purchaser shall be found to be a foreigner having

having no property in the Mysore State or to be of doubtful solvency, he may be required to deposit twice the prescribed sum, or to get a surety or sureties to execute a security bond for the due payment of all moneys that may become due by him under the terms of the contract"

(2.) After the word "treasury" in line 1 of para 16 of Rule 7 and in Columns 2 and 3 of the table at the foot of the said para, insert the words "and treasurer"

(3.) For clause (e) of para 21 of Rule 7 substitute the following:—

The

"the depth and width of the incision shall not exceed one-third of the diameter of the tree, and the length of it shall not exceed eight inches.

(4) For clause (g) of the aforesaid
(5) para 21, substitute the following:— "The central Spikelike clusters shall not be touched. Of the lateral leaves, not less than two layers of leaves shall be left, reckoning from the layers immediately next to the central clusters down to the topline of the incision, or in other words, above the topline of the incision, not less than eight leaves shall be left excluding the central Spikelike clusters, on that face of the tree on which the incision

incision is made".

(5). After para 21, insert the following as para 22, and alter the present paras 22 and 23 into 23 and 24:-

"In every grove where toddy-yielding trees are tapped, a ladder shall always be kept by the tapper to enable Excise Officers to examine incisions or spathes, as the case may be, or to measure the incisions."

Toddy License A

(6). After condition 8 insert the following clause (2):-

"(2) Present at annas 4 per tree with local cess thereon shall be levied on all

Government

Government trees tapped for
the supply of toddy shops
whether within or outside
the Mysore Territories or
in the Civil and Military
Station of Bangalore."

(7) After the word "treetax" in
line 1 of Condition 9 and
in the columns 2 and 3 of
the table at the foot of the
said Condition, insert the words
"and treerent".

M Thomas Jnr
Excise Commissioner
in Mysore

Secretary

10

Draft for approval 516

114

Read:—

Letter no. 5176/263 dated 1st April 1901 from the Excise Commr in Mysore, submitting for approval a draft notification embodying certain amendments to be made in the Toddy Rules published under Government notification no. 11676/Ex 476 dated 14th June 1898, in consequence of those alterations made in Government notification no. 6951/Ex 343 dated 7th March 1901 for the sale of toddy shops for the year 1901-1902.

No. 9433-42/Ex.T.14-96 dated 25/5/01

25

Order thereon:—

The draft notification submitted with the above is approved with a slight modification and forwarded

to the ~~Excise~~ Compiler
Mysore Gazette for publication
in three successive issues
of the Mysore Gazette.

Secretary

22/4/01

KC
19/4/01

To The Excise Commr
in Mysore.

" Dep. Commrs of
Dists

" Comptroller, My G.

(Here enter notifi-
cation no dated

Draft for approval

Notification

No: 9443 / Ex. F. 14-96 dated 25/5/07

In exercise of the powers conferred by Section 55 of the Excise Act XXII of 1881, as amended by Act VI of 1888 and introduced into Mysore by Regulation III of 1885, the Government of Mysore are pleased to direct that the following amendments be made in the toddy Rules published under Govt notification no 11676 / Ex 476 dated 12th June 1898, and amended by Government notifications nos 8236 / Ex 294 & 2991 / Ex F-14-96 dated 19th May 1900 and 9th October 1900, respectively :—

1 At the end of amended para 4 of Rule IV insert the following :—

" If the purchaser shall be found to be a foreigner having no property in

Para 4 of the Rules
7/3/07

the impecunious state or to be of doubtful solvency, he may be required to deposit twice the prescribed sum, or to get a surety or sureties to execute a security bond for the due payment of all moneys that may become due by him under the terms of the contract".

resident of an occupied property in the village with

2 At the end of para 9 of Rule IV insert "and also to tree rent in the case of trees on such unoccupied lands

3. In para 10 of Rule IV after "tree-tax" insert the words "and tree rent")

4 In line 1 of para 16 of Rule IV, after the word "tree-tax" insert "and tree rent, (with local cess on both the items)", and in columns 2 & 3 of the table at the foot of the same para, insert the words "and tree rent" after the word "tree-tax".

5 For clause (e) of para 21 of Rule IV substitute the following:—

" The depth and width of the incision shall not exceed 1/3 of the diameter of the tree

and the length of it shall not exceed 8 inches."

6 ✓ For clause (9) of the aforesaid para 21, substitute the following:—

"The central spike-like clusters shall not be touched. Of the lateral leaves, not less than two layers of leaves shall be left ~~reckoning~~ reckoning from the layers immediately next to the central clusters down to the top line of the incision; or in other words, above the top line of the incision not less than 8 leaves shall be left excluding the central spike-like clusters on that face of the tree on which the incision is made."

7 ✓ After para 21, insert the following as para 22, the present paras 22 & 23 being ~~changed~~ changed into 23 & 24:

"22. In every grove where toddy yielding trees are tapped, a ladder shall

always be kept by the tapmen
to enable Excise Officers
to examine incisions or spathes
as the case may be or to measure
the incisions."

License form A.

8. ~~After con~~ ~~At the end~~ To
condition 8 add the following
as clause (2). —

"(2) Tree rent at annas ..... per tree with local cess thereon shall be levied on all such trees tapped for the supply of toddy shops whether within or outside the Impere territories, or in the Civil and Military station of Bangalore."

9. In line 4 of condition 9, after the word "tree tax" insert the words "and tree rent, (with local cess on both the items)" and In columns 2 & 3 of the table at the foot of the aforesaid condition and in line 5 of condition 6, insert the words "and tree rent" after the word "tree tax".

"130"

Addl Secretary
12/4/07 22/4/07

To The Compiler, may see Gazette
for publication ~~in the gazette~~
in three successive issues
of the Gazette and with a request
that 50 copies of the printed
notification may be sent
to this office.

1900-1901

GOVERNMENT OF MYSORE

EXCISE

PROCEEDINGS

Dated 25th May 1901

No. 9433-42
Ex. F. 14-96

Approving of the Draft Notification embodying certain amendments to be made in the Toddy Rules in consequence of the alterations made in the Notification forthe sale of toddy shops for the year 1901-1902.

SBP—30-5-1901—350

READ—

Letter No. 5176—263, dated the 1st April 1901, from the Excise Commissioner in Mysore, submitting for approval, a draft Notification embodying certain amendments to be made in the Toddy Rules published under Government Notification No. 11676—Ex. 476, dated the 14th June 1898, in consequence of the alterations made in Government Notification No. 6981—Ex. 343, dated the 7th March 1901, for the sale of toddy shops for the year 1901-1902.

No. 9433-42—Ex. F. 14-96, DATED BANGALORE, 25TH MAY 1901.

ORDER THEREON—The Draft Notification submitted with the above is approved with a slight modification and forwarded to the Compiler, *Mysore Gazette*, for publication in three successive issues of the *Mysore Gazette*.

H. V. NANJUNDAYYA,
Secy. to Govt., Gen. & Rev. Depts.

To—The Excise Commissioner in Mysore.
The Deputy Commissioners of Districts.
The Comptroller to the Government of Mysore.

NOTIFICATION.

No. 9443—Ex. F. 14-96, dated Bangalore, 25th May 1901.

In exercise of the powers conferred by Section 55 of the Excise Act XXII of 1881 as amended by Act VI of 1885 and introduced into Mysore by Regulation III of 1885, the Government of Mysore are pleased to direct that the following amendments be made in the Toddy Rules published under Government Notification No. 11676—Ex. 476, dated the 14th June 1898, and amended by Government Notifications Nos. 8236—Ex. 294 and 2991—Ex. F. 14-96, dated the 19th May 1900 and 9th October 1900, respectively.

1. At the end of amended para 4 of Rule IV insert the following:—

"If the purchaser shall be found to be a foreigner having no property in the Mysore State or to be of doubtful solvency, he may be required to deposit twice the prescribed sum or to get a surety or sureties, residents of and possessing property in the Mysore State, to execute a security bond for the due payment of all moneys that may become due by him under the terms of the contract."

2. At the end of para 9 of Rule IV insert—

" and also to tree-rent in the case of trees on Government occupied lands."

3. In para 10 of Rule IV, after "tree-tax" insert the words "and tree-rent."

4. In line 1 of para 16 of Rule IV, after the word "tree-tax" insert "and tree-rent (with local cess on both the items)" and in columns 2 and 3 of the table at the foot of the same para, insert the words "and tree-rent" after the word "tree-tax."

5. For clause (*e*) of para 21 of Rule IV substitute the following:—

"The depth and width of the incision shall not exceed one-third of the diameter of the tree and the length of it shall not exceed eight inches."

Excise, dated 25th May 1901.

6. For clause (*g*) of the aforesaid para 21 substitute the following :—

"The central spike-like clusters shall not be touched. Of the lateral leaves not less than two layers of leaves shall be left reckoning from the layers immediately next to the central clusters down to the top line of the incision; or in other words, above the top line of the incision not less than eight leaves shall be left excluding the central spike-like clusters on that face of the tree on which the incision is made."

7. After para 21, insert the following as para 22, the present paras 22 and 23 being changed into 23 and 24 :—

"22. In every grove where toddy yielding trees are tapped, a ladder shall always be kept by the tap-men to enable Excise officers to examine incisions or spathes as the case may be or to measure the incisions."

License Form A.

8. To condition 8 add the following as clause (2) :—

"(2). Tree-rent at annas.....per tree with local cess thereon shall be levied on all Government trees tapped for the supply of toddy shops whether within or outside the Mysore territories or in the Civil and Military Station of Bangalore."

9. In line 1 of Condition 9 after the word "tree-tax" insert the words "and tree-rent, (with local cess on both the items)."

10. In columns 2 and 3 of the table at the foot of the aforesaid condition and in Condition 6, insert the words "and tree-rent" after the word "tree-tax."

By Order,
L. ANANTASAMI RAO,
for *Secretary.*

Exd.—c.v.